



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

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Brooklyn, New York 11201*

February 2, 2023

By ECF

The Honorable Sanket J. Bulsara
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *James Price, et al. v. U.S. Prob. & Pretrial Servs., EDNY,*
Civ. No. 22-cv-7221 (Gujarati, J.) (Bulsara, M.J.) (E.D.N.Y.)

Dear Magistrate Judge Bulsara:

This Office represents Defendant U.S. Probation Office for the Eastern District of New York ("Defendant" or, alternatively, "U.S. Probation Office") in the above-referenced action commenced by Plaintiffs *pro se* James Price and Sherry Price pursuant to the Administrative Procedure Act, 5 U.S.C. §§ 701-06 (the "APA"). Defendant respectfully requests an extension of time to answer, move or otherwise respond to the Complaint, from February 6, 2023 until March 23, 2023. This is the first such request, and no other deadlines are affected. The undersigned was unable to speak with Plaintiff *pro se* James Price to ascertain his consent to this request because he is currently incarcerated, nor was the undersigned able to speak with Plaintiff *pro se* Sherry Price to ascertain her consent to this request because she failed to include contact information such as a telephone number or email address that would facilitate contemporaneous communication.

By way of background, Plaintiff James Price, who is currently incarcerated at Federal Correctional Institution, Miami ("FCI Miami") in the Southern District of Florida, alleges that he is married to Plaintiff Sherry Price, who is alleged to reside in the Eastern District of New York. *See* Compl. ¶¶ 3-4, ECF No. 1. Plaintiff James Price submitted a request to have the location of his supervised release transferred from the Southern District of Florida to the Eastern District of New York, which the U.S. Probation Office allegedly denied. *See* Compl. ¶ 8, ECF No. 1. Plaintiffs now seek, pursuant to the APA, "entry of an order to set aside the [U.S. Probation Office's] decision and order the transfer of [Plaintiff James] Price's supervised release to the [Eastern District of New York]." *See* Compl., at 7, ECF No. 1.

Defendant seeks an extension of time to answer, move, or otherwise respond to the Complaint because the undersigned is awaiting additional information needed to respond to the Complaint. This information from the agency is needed to be able to properly evaluate the Complaint.

This is Defendant's first request for an extension of time. This request does not affect any other deadlines.

Defendant thanks the Court for its consideration of this matter.

Respectfully submitted,

BREON PEACE
United States Attorney
Attorney for Defendants

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